

**DECLARATION, POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND APPARATUS FOR UNIVERSAL SHAPE CUTTING OF PIPES", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-referenced specification including the claims as amended by any amendment specifically referred to in the Oath or Declaration.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|-------------------|--------------------|---------------|
| 60/326,082        | September 29, 2001 |               |
| 10/084,124        | February 25, 2002  | Issued as:    |

| <u>Patent No.</u> | <u>Issue Date</u> |
|-------------------|-------------------|
| 6,601,312         | August 5, 2003    |

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s):

International Application No. PCT/US02/28144

Filed on September 27, 2002

Entitled: METHOD AND APPARATUS FOR UNIVERSAL SHAPE CUTTING OF PIPES

I hereby appoint NIKOLAI & MERSEREAU, P.A., a professional association, consisting of the following attorneys/agents and the following attorneys/agents individually: Thomas J. Nikolai, Registration No. 19,283, Charles G. Mersereau, Registration No. 26,205, and Steven E. Kahm, Registration No. 30,860 of 820 International Centre, 900 Second Avenue South, Minneapolis, Minnesota 55402-3325; Telephone No. (612) 339-7461, my attorneys/ agents with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all phone calls and correspondence to: Steven E. Kahm, Esq., at NIKOLAI & MERSEREAU, P.A., 820 International Centre, 900 Second Avenue South, Minnesota 55402-3325; Telephone (612) 339-7461.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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